

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JONATHAN ANDREW MARTELL,

Defendant.

CR-08-34-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter April 3, 2017. (Doc. 56.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 28, 2017. (Doc. 52.) Martell admitted that he violated the conditions of his supervised release. The violations prove serious and warrant revocation of Martell's supervised release.

Judge Johnston has recommended that the Court revoke Martell's supervised release and commit Martell to the custody of the Bureau of Prisons for three months with no supervised release to follow. (Doc. 56 at 5.)

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Martell's violations of his conditions represent a serious breach of the Court's trust. A sentence of three months custody with no supervised release to follow represents a sufficient, but not greater than necessary, sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 56) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Jonathan Andrew Martell be sentenced to three months custody with no supervised release to follow.

DATED this 27th day of April, 2017.



Brian Morris
United States District Court Judge